

REMARKS

In the August 25, 2003 Office Action, the Examiner provisionally rejected claims 1-28 under the judicially created doctrine of obviousness-type double patenting as being unpatentable over the pending claims of co-pending application no. 09/883,854. Applicant has amended the pending claims to more clearly define the claimed invention and further clarify the distinctness from the claims presented in co-pending application serial no. 09/883,854. Accordingly, applicant respectfully submits that, as now presented, claims 1-4, 10, 13-19, 25 and 28-37 are patentably distinct from the claims presented in co-pending application serial no. 09/883,854.

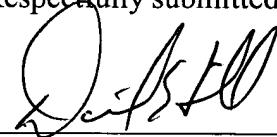
Specifically, the present claimed invention is directed at an automated apparatus for retrieving and ionizing samples for analysis whereby a robotic interface controls a capillary such that one of its ends may be positioned to accept a sample from any of a plurality of locations on a sample tray to be ionized and introduced into a mass analyzer for analysis.

Alternatively, the invention claimed in co-pending application serial no. 09/883,854 is directed at automating an atmospheric pressure ionization (API) source for a mass spectrometer whereby a robot interfaced with the API source retrieves and ionizes samples for analysis by positioning the API source such that it (i.e., the API source) may accept a sample from any of a plurality of locations on a source tray and then re-positioning the API source such that it may introduce ions of the sample into an inlet end of a fixed capillary for transport into a first vacuum region of a mass spectrometer.

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1 In view of the foregoing, Applicant respectfully submits that the present invention, as
2 claimed, represents a patentable contribution to the art and the application is in condition for
3 allowance. Early and favorable action is respectfully requested.

Respectfully submitted,



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